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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Daniel Keith Tomaschko, Daniel James Horn, Xiao Kang Zhang, Nao Pao Lee
Application No.:	10/634370
Filed:	August 5, 2003
For:	BALLOON CONES AND WAISTS THINNING METHODOLOGY
Examiner:	Vy Q. Bui
Group Art Unit:	3731
Firm Docket No.:	S63.2N-7132-US03

DATE: December 21, 2005 TIME: 11:07 FACSIMILE NO.: 571-273-8300

TOTAL NUMBER OF PAGES (including transmittal letter): 3

## FACSIMILE TRANSMITTAL LETTER

Following please find a(n) 2 Pg Notice of Appeal; and 1 page Facsimile Transmittal Letter.

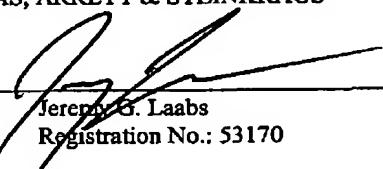
With respect to fees:  No additional fee is believed to be required  
 Charge Appeal fee and/or any fee deficiency to our Deposit Account No. 22-0350

## Conditional Petition

If any extension of time for the accompanying response is required or if a petition for any other matter is required, applicant requests that this be considered a petition therefore.

If any additional fees associated with this communication are required and have not otherwise been paid, please charge the additional fees to Deposit Account No. 22-0350. Please credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,  
VIDAS, ARRETT & STEINKRAUS

By: 

Jeremy C. Laabs  
Registration No.: 53170

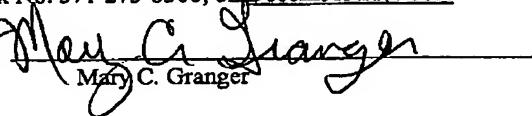
Date: December 21, 2005

6109 Blue Circle Drive, Suite 2000  
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 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Docket No.: S63.2N-7132-US03

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

- Applicant claims small entity status. See 37 CFR 1.27.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 22-0350.
- A Petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

12/22/2005 MBINAS 00000030 220350 10634370  
 01 FC:1401 500.00 DA

■ **CONDITIONAL PETITION FOR EXTENSION OF TIME**

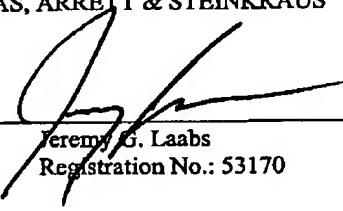
In the event a petition for extension of time is required and has not otherwise been requested or in the event the period specified is incorrect please consider this a petition for the appropriate extension therefore.

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I am the attorney or agent of record.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

By: 

Jeremy G. Laabs

Registration No.: 53170

Date: December 21, 2005

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